

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION

In Re:

Case No. 19-30458
Chapter 13

Dawone Louallen,
SSN: xxx-xx-3183

Debtor.

Amendment to Chapter 13 Plan

NOW COMES the above debtor who does amend his chapter 13 plan as shown on that amended plan, attached hereto, so as to show that NPRTO South-East, LLC, which filed their proof of claim on May 14, 2019, has agreed to treat the lease of jewelry that debtor purchased as a secured debt instead of a lease contract. Debtor will pay the claim of \$2,228.18 as a 910 claim since it was purchased within one year at the *Till* rate of interest.



Marcus D. Crow
Attorney for Debtor
315-B North Main Street
Monroe, N.C. 28112
Telephone: (704) 283-1175
N.C. State Bar No.: 27774

Certificate of Service

This certifies that the foregoing and attached amended plan was served upon those persons shown below by depositing copies thereof in the United States Mail, First Class, postage prepaid, or via the appropriate internet provider, addressed to those persons at the addresses shown for each on the 22nd day of May, 2019:

NPRTO South-East, LLC
256 West Data Drive
Draper, UT 84020

Dawone Louallen
(In person)



Marcus D. Crow
Attorney for Debtor

Local Form 4A

December 2017

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION**

In re:)	Case No. 19-30458
)	
Dawone Louallen,)	
SSN: XXX-XX-3183)	Chapter 13
Debtor(s))	

**AMENDMENT TO CHAPTER 13 PLAN
AND NOTICE OF OPPORTUNITY FOR HEARING ON CONFIRMATION OF THE PLAN
FOR CASES FILED ON OR AFTER DECEMBER 1, 2017**

Check if applicable to this plan amendment:

1.1	A limit on the amount of a secured claim that may result in a partial payment or no payment at all to the secured creditor (Part 3.2)	<input type="checkbox"/> Included	<input checked="" type="checkbox"/> Not Included
1.2	Avoidance of a judicial lien or nonpossessory, nonpurchase-money security interest (Part 3.4)	<input type="checkbox"/> Included	<input checked="" type="checkbox"/> Not Included
1.3	Request for termination of the 11 U.S.C. § 362 stay as to surrendered collateral (Part 3.5)	<input type="checkbox"/> Included	<input checked="" type="checkbox"/> Not Included
1.4	Request for assumption of executory contracts and/or unexpired leases (Part 6)	<input type="checkbox"/> Included	<input checked="" type="checkbox"/> Not Included
1.5	Nonstandard provisions	<input type="checkbox"/> Included	<input checked="" type="checkbox"/> Not Included

The Chapter 13 Plan, including certain motions and other provisions, is hereby amended as follows:

- 1) Plan is amended to show that miscellaneous jewelry financed by NPRTO South-East, LLC will be treated as a secured 910 claim.
- 2) All other provisions in the proposed plan filed on April 4, 2019 are still in effect and unchanged by this proposed plan amendment.

3.3 Secured claims excluded from 11 U.S.C. § 506.

Check one.

☐ **None.** If "None" is checked, the rest of Part 3.3 need not be completed or reproduced.

☒ The claims listed below were either:

- (1) incurred within **910** days before the petition date and secured by a purchase money security interest in a motor vehicle acquired for the personal use of the Debtor, or
- ☒ (2) incurred within **1 year (365 days)** of the petition date and secured by a purchase money security interest in any other thing of value.

These claims will be paid in full under the Plan with interest at the rate stated below. These payments will be disbursed by the Chapter 13 Trustee, directly by the Debtor, or as otherwise specified below.

Name of creditor	Collateral	Amount of claim	Interest rate
NPRTO South-East, LLC	Miscellaneous jewelry item	\$2,228.18	7.5%
Disbursed by:			
<input checked="" type="checkbox"/> Trustee			
<input type="checkbox"/> Debtor			
<input type="checkbox"/> Other			

TAKE NOTICE: Your rights may be affected. You should read this amendment to the Chapter 13 Plan carefully and discuss them with your attorney, if you have one, in this bankruptcy case. If you do not have an attorney, you may wish to consult one.

If you do not want the Court to confirm the Debtor's proposed Plan as amended, or if you want the Court to consider your views on these matters, then you and/or your attorney must file a written objection to confirmation and request for hearing on confirmation at one of the following addresses:

Cases filed in the Charlotte or Shelby Divisions:

Physical & Mailing Address: Clerk, U.S. Bankruptcy Court, 401 West Trade Street, Room 111, Charlotte, N.C. 28202

Cases filed in the Statesville Division:

Physical Address: Clerk, U.S. Bankruptcy Court, 200 West Broad Street, Room 301, Statesville, N.C. 28677

Mailing Address: Clerk, U.S. Bankruptcy Court, 401 West Trade Street, Room 111, Charlotte, N.C. 28202

Cases filed in the Asheville or Bryson City Divisions:

Physical & Mailing Address: Clerk, U.S. Bankruptcy Court, 100 Otis Street, Room 112, Asheville, N.C. 28801-2611

Your objection to confirmation and request for hearing must include the specific reasons for your objection and must be filed with the Court no later than 21 days following the conclusion of the § 341 meeting of creditors, or within 21 days of service of the amendment, whichever is later. If you mail your objection to confirmation to the Court for filing, you must mail it early enough so that the Court will receive it on or before the deadline stated above. You must also serve a copy of your objection to confirmation on the Debtor at the address listed in the notice of the meeting of creditors. The Debtor's attorney and the Chapter 13 Trustee will be served electronically. If any objections to confirmation are filed with the Court, the objecting party will provide written notice of the date, time, and location of the hearing. **No hearing will be held unless an objection to confirmation is filed.**

If you or your attorney do not take these steps, the Court may decide that you do not oppose the proposed plan of the Debtor as amended and may enter an order confirming the amended plan and granting the motions. **Any creditor's failure to object to confirmation of the proposed plan as amended shall constitute the creditor's acceptance of the treatment of its claim as proposed pursuant to 11 U.S.C. § 1325(a)(5)(A).**

I declare under penalty of perjury that the information provided in this Amendment to Chapter 13 Plan is true and correct as to all matters set forth herein.

Dated 5/22/2019

/s/ Dawone Louallen
Debtor's Signature

Dated _____

Debtor's Signature

I hereby certify that I have reviewed this document with the Debtor and that the Debtor has received a copy of this document.

Dated 5/22/2018

/s/ Marcus D. Crow
Attorney for the Debtor

CERTIFICATE OF SERVICE

This is to certify that I have on May 22, 2019 served each party or counsel of record indicated on the list attached hereto in the foregoing matter with a copy of this Chapter 13 Amended Plan by depositing in the United States mail a copy of same in a properly addressed envelope with first class postage thereon. Attorneys were served electronically

This the 22nd day of May, 2019.

NPRTO South-East, LLC
256 West Data Drive
Draper, UT 84020

Dawone Louallen
(In person)

/s/ Marcus D. Crow
Marcus D. Crow
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N.C. State Bar No. 27774